

# Mendocino County Workforce Investment Board

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## Incident Reporting Procedure

### Policy No. 19

#### **PURPOSE:**

This policy outlines the procedure for reporting incidents, including but not limited to criminal fraud, criminal abuse or other criminal activity and noncriminal complaints, such as gross waste of funds, to the Compliance Review Division (CRD) of the Employment Development Department (EDD) and the Department of Labor's (DOL) Office of Inspector General (OIG). This policy applies to the Mendocino County Workforce Investment Board (WIB) and its subrecipients under the Workforce Investment Act (WIA). Nothing in this procedure should preclude or discourage the reporting of criminal incidents to local authorities as well.

#### **BACKGROUND:**

WIA regulations (20 CFR 667.630) require that information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately through DOL's Incident Reporting System to the OIG with a copy simultaneously provided to the Employment and Training Administration (ETA). State of California, EDD Directive WIAD02-3 requires all such incident reporting be made concurrently to the EDD/CRD.

#### **REFERENCES:**

- Title 20 Code of Federal Regulations (CFR) Section 667.505 and 667.630; and
- State of California, Employment Development Department Directive, WIAD02-3.

#### **DEFINITIONS:**

***Complaint*** means criminal complaints and noncriminal complaints accepted by DOL as incidents, such as gross waste of funds, mismanagement and dangers to the public health and safety.

***Subrecipient*** means a recipient that does not receive WIA funds directly from the State, but rather through the WIB.

**NOTIFICATION:**

WIB staff and subrecipients who are administering funding shall be alert to and promptly report to the WIA Coordinator all allegations of fraud, abuse, criminal activity and noncriminal incidents.

The WIA Coordinator shall be responsible for ensuring that all incident complaints and reports are forwarded to the DOL/OIG and the EDD/CRD

The WIB will provide its subrecipients with written notification regarding their responsibilities to be alert for instances of fraud, abuse, and criminal activity or noncriminal incidents, such as waste, committed by staff, contractors, or program participants and to report all such instances to the WIB, OIG and CRD immediately. The WIB will maintain a file of such written notification and provide clear and concise reports on any such activity or incident.

**REPORTING:**

Within one workday of detection of or discovery of information alleging fraud, abuse, or other criminal activity involving WIA funds, a written incident report shall be prepared by the detecting entity. The report must include a statement of all facts known at the time as well as any known or estimated loss of WIA funds resulting from the incident. Any facts subsequently developed by the WIB or subrecipient will be forwarded in a supplemental incident report. The report must be submitted on the attached form or similar document containing the requested information.

The report will be submitted to:

Attention: Compliance Resolution Unit  
Compliance Review Division, MIC 22M  
Employment Development Department  
P. O. Box 826880  
Sacramento, CA 94280-0001

And to the OIG at their website [www.oig.dol.gov/hotnet1.htm](http://www.oig.dol.gov/hotnet1.htm) by telephone at 1-800-347-3756, by fax to (202) 693-5210, or by mail to:

Office of Inspector General  
United States Department of Labor  
200 Constitution Avenue, N.W., Room S-5506  
Washington, D. C. 20210

Allegations considered to be of an emergency nature should be reported by telephone to the Compliance Resolution Unit Supervisor at (916) 653-3270 and by calling the OIG/DOL Hot Line at 1-800-347-3756, **followed immediately thereafter by a written incident report.**

If the entity reporting the incident believes that immediate action is necessary to prevent further financial loss or other damage, or recovery of funds or property may be impeded if immediate action is not taken, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the appropriate local law enforcement agency(s). Any immediate action taken or planned by the reporting entity must be reported to CRD when the incident report is submitted.

If the WIB is informed of an incident through a DOL/OIG investigation, the WIB will immediately notify EDD/CRD to confirm CRD is aware of the incident.

The WIB will make this policy known to all staff.

<b>Title</b>	<b>Incident Reporting</b>		
<b>Policy Number</b>	<b>19</b>	<b>Revision Number</b>	
<b>Effective Date</b>	<b>April 9, 2003</b>	<b>Revision Date</b>	
<b>References</b>	<b>WIAD02-03 20 CFR 667.505 and 667.630</b>		
<b>Key Words</b>	<b>Fraud and Abuse</b>		
<b>Author</b>	<b>Colleen Henderson</b>		
<b>Adopted Comm.</b>	<b>Executive Committee</b>	<b>Date:</b>	<b>3/19/03</b>
<b>Adopted WIB</b>	<b>April 9, 2003</b>	<b>Attest:</b>	